

# DENALI SPECTRUM

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October 15, 2008

## VIA ECFS

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: PS Docket No. 08-146  
Participation in the Commercial Mobile Alert System

Dear Ms. Dortch:

On behalf of Denali Spectrum License, LLC and its license<sup>1</sup> and operating subsidiaries (together, "Denali"), and pursuant to the requirements of *The Commercial Mobile Alert System, Third Report and Order*, 23 FCC Rcd 12561, ¶ 32 (2008) ("*Third Report and Order*") and Sections 10.210 and 10.230 of the Commission's Rules,<sup>2</sup> 47 C.F.R., §§ 10.210, 10.230 (eff. Oct. 22, 2008), I am writing to describe Denali's election to participate in the Commercial Mobile Alert System ("CMAS").

When it commences providing service on or about November 18, 2008, Denali will be a Commercial Mobile Service ("CMS") provider within the meaning of Section 602(a) of the WARN Act. Consistent with the Commission's requirement that CMS providers, 30 days prior to offering service, file electronically their election to transmit, in part or in whole, emergency alerts, *Third Report and Order* at ¶ 34, Denali hereby elects to participate in whole in the CMAS and to transmit CMAS Alert Messages. Pursuant to the requirements of the *Third Report and Order* and Section 10.210(a) of the Commission's Rules, (i) Denali agrees to transmit alerts in a manner consistent with the technical standards, protocols, procedures, and

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<sup>1</sup> Denali Spectrum License Sub, LLC is the licensee of advanced wireless service license WQV784.

<sup>2</sup> Sections 10.210 and 10.230 of the Commission's Rules become effective as of October 22, 2008. See 73 Fed. Reg. 54511 (Sept. 22, 2008); *The Commercial Mobile Alert System, Erratum*, FCC 08-202, ¶ 2 (rel. Sept. 5, 2008).

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other technical requirements implemented by the Commission; and (ii) Denali commits its support to the development and deployment of technology for the "C" interface, the CMS provider Gateway, the CMS provider infrastructure, and mobile devices with CMAS functionality and support of the CMS provider technology. *See Third Report and Order* at ¶ 32; 47 C.F.R. § 10.210(a) (eff. Oct. 22, 2008).

Due to the considerable work that remains to be done on the Alert Aggregator/Gateway and the lack of Government Interface Design Specifications, the Commission has declined to require CMS providers to provide detailed information on the timing of the availability of mobile alerting. *See Third Report and Order* at ¶ 32. While the *Third Report and Order* sets a timeline for general implementation and deployment of the CMAS, *see id.* at ¶ 53, it does not provide the definition for participation "in part" and "in whole" that clarifies the required timeline for the rollout of emergency alert-enabled handsets. In light of the material technical issues still awaiting resolution and the cost and difficulty of widespread handset replacement, Denali cannot currently guarantee that all customer handsets will support emergency alerts from the first day the CMAS goes live. However, Denali is committed to making commercially reasonable efforts to ensure complete support for the subject mobile alerts at the earliest possible date.

Very truly yours,

Denali Spectrum License, LLC

By: Denali Spectrum, LLC  
Its Sole Member

By: Denali Spectrum Manager, LLC  
Its Manager

By: Doyon, Limited  
Its Manager

By: 

Allen M. Todd  
General Counsel & Assist. Sec.